

UNITED STATES DISTRICT COURT

for the
District of New MexicoFILED
At Albuquerque NM

DEC 10 2018

United States of America)

v.)

KENDON GOSSETT)

Case No. 18-MJ-3952

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 17, 2018 in the county of Santa Fe in the
District of New Mexico, the defendant(s) violated:

Code Section

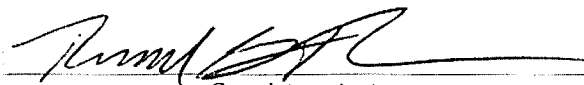
Offense Description

Title 18 U.S.C. Section 875(c)

Threats via Interstate Communications

This criminal complaint is based on these facts:

See Attached.

☒ Continued on the attached sheet.

Complainant's signature

Russell S. Romero, Special Agent, FBI

Printed name and title

Sworn before me by reasonable electronic means.

Date: 12/09/2018City and state: Albuquerque, NM

Judge's signature

Honorable Laura Fashing, US Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA)

)

VS.)

)

KENDON GOSSETT)

YEAR OF BIRTH: 1994)

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Russell Romero, being duly sworn, depose and say as follows:

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI"), and have been employed in that capacity since 2007. I am a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C). I am authorized to investigate violations of Federal criminal law and possess the authority to execute warrants issued under the authority of the United States. During my employment with the FBI, I have conducted numerous investigations for suspected violations of federal law, including participation in violent felony investigations. I have received training in how to conduct complex investigations and I have participated in the execution of arrest warrants in the past.
2. This affidavit is submitted in support of an application for an arrest warrant for Kendon GOSSETT. There is probable cause to believe that GOSSETT committed a

violent felony related to a violation of Title 18 U.S.C. § 875(c) – Threats via Interstate Communications.

3. The information set forth in this affidavit has been derived from my own investigation, or communicated to me by other sworn law enforcement officers or from other sources.
4. Because this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included all known facts concerning this investigation. I have set forth only the facts that are believed necessary to establish probable cause to support an arrest warrant regarding violations of Title 18 U.S.C. § 875(c) – Threats via Interstate Communications.

PROBABLE CAUSE

5. On November 17, 2018, Santa Fe County Sheriff's Department (SFCSD) Deputy Edgar Madrid was dispatched to a residence in Stanley, New Mexico, in reference to a welfare check. Deputy Madrid was advised that Deputy Paul Woo from the Pecos County Sheriff's Department (PCSD) in Pecos County, Texas, had information that Kendon GOSSETT made threatening posts on social media, to include one stating that GOSSETT would be executing a mass shooting.
6. Deputy Madrid contacted Deputy Woo via phone and confirmed his statement. Deputy Woo stated that a woman called their office concerned about a post that GOSSETT had made on Facebook. Deputy Woo made contact with GOSSETT's brother who reported that GOSSETT is known to post "dumb stuff," and did not think much of it. GOSSETT's brother stated that GOSSETT was upset and had been drinking alcohol.

7. Deputy Woo was unable to make contact with GOSSETT. He later discovered that GOSSETT lived in Stanley, New Mexico, and contacted SFCSD to conduct a welfare check.
8. Upon arriving at the residence in Stanley, New Mexico, Deputy Madrid made contact with GOSSETT. He told GOSSETT that the reason that he was there was because of the posts that he made on Facebook.
9. GOSSETT admitted to making the posts and reported the reason that he did it was because his lifelong friend had failed to stand up for him. GOSSETT stated that he was angry and wanted to scare his friend.
10. GOSSETT also stated that he had drank about 10oz of rum, and suffers from depression and has harmed himself in the past. Deputy Madrid asked GOSSETT if he felt like killing himself, and GOSSETT stated that he did not. GOSSETT stated the sole reason he made the posts was because he was angry, but had no intention to hurt anyone. He also knew that it was "stupid" that he had made the posts and felt bad because he knew that he had potentially scared people.
11. After speaking to GOSSETT, Deputy Madrid spoke with the homeowner, E.A., and his wife, C.A. E.A. stated that GOSSETT is his cousin and had moved to his house approximately two months ago so that GOSSETT could find a job and have more opportunities.
12. E.A. reported that GOSSETT had not smoked marijuana or meth since he moved to New Mexico, but has dealt with substance abuse in the past. E.A. also reported that his (E.A.'s) weapons are secure in a gun safe and are inaccessible to GOSSETT.
13. E.A. also reported that the only person that GOSSETT has developed a closer relationship with was his cousin, C.E., who lives a few miles away.

14. C.E. has a criminal history that includes controlled substance (trafficking and possession) and firearms violations.
15. After the welfare check was complete, GOSSETT was transported to Kaseman Hospital in Albuquerque for a psychiatric evaluation.
16. On November 30, 2018, Deputy Madrid provided me, via email, with screen shots of the Facebook posts made by GOSSETT. Each post showed a username "Ken Gossett."
17. The first of the posts read, "So many people are going to die. I bet they will be laughing just like they are now as they make fun of me and hurt me and lie."
18. The second post read, "You will all be laughing. Laughing at how you made fun of me and believed me to be, and made me out to be something im not."
19. The third post read, "But as corpses you wont make a sound...Blissful silence in which i can play good music."
20. The fourth and final post read, "Play close attention to the news. I am the next face behind a mass murder."
21. On December 07, 2018, I made contact with PCSD Deputy Woo via phone. Deputy Woo advised me that the woman who made the initial complaint contacted his office late in the evening on Saturday, November 17, 2018. At that time, she was located in Midland, TX, and she had known GOSSETT in high school. She thought that he still lived in Fort Stockton, TX, and that is why she contacted the PCSD. She saw the posts come up on Facebook that night, and told Deputy Woo that she "couldn't ignore" them.

SUMMARY


22. Based on the information set forth in this affidavit, I submit that there is probable cause to believe that Kendon GOSSETT did unlawfully commit a felony by posting threats on Facebook to include, "Play close attention to the news. I am the next face behind a mass murder." on November 17, 2018.
23. When the posts were made, the initial reporting party saw the posts on her Facebook page while in Midland, Texas. That same evening, SFC SO Deputy Madrid made contact with GOSSETT in Stanley, New Mexico. GOSSETT had been in New Mexico for approximately two months, and admitted to making the posts when interviewed by Deputy Madrid. Thereby, the threatening posts were made utilizing interstate communications.
24. I further submit that the aforementioned posts were made in violation of Title 18 U.S.C. § 875(c) – Threats via Interstate Communications.
25. On December 09, 2018, AUSA Jack Burkhead reviewed and approved this affidavit.

I swear that this information is true and correct to the best of my knowledge.



Russell S. Romero
Special Agent
Federal Bureau of Investigation

Sworn to before me by reasonable electronic means this 9th day of December, 2018.



Honorable Laura Pashing,
United States Magistrate Judge